

Copies of this guidance document, the optional reporting forms and the instructions for completing the reporting forms can be viewed or downloaded from the DES website at <http://www.des.state.nh.us/ard/guidance.htm>.

It is the responsibility of the owner of the Title V source to monitor compliance during the reporting period and to accurately certify its compliance status annually. **DES will not be sending notices of the reporting deadlines to sources with Title V permits.** Owners of sources with Title V permits that submit incomplete reports, fail to submit a report, or submit a report after the reporting deadline may be subject to enforcement action by DES. The EPA assigns High Priority Violator (HPV) status to sources that fail to submit the Title V compliance certification by the reporting deadline. Although not required, DES recommends that the annual compliance certification and semi-annual reports be sent to DES via certified mail.

Section I. Annual Compliance Certification:

The Code of Federal Regulations, Title 40, Part 70 (“40 CFR 70”) contains the requirements for the Title V Permitting Program. 40 CFR 70 requires that all owners of Title V sources certify their compliance status with **each condition and requirement** of the Title V permit on an annual basis.

The reporting requirements section of the Title V permit typically contains the following or similar language: “Annual compliance certification shall be submitted in accordance with Section XXI (or XXIII) of this Permit.” Section XXI or Section XXIII, depending on the format of the permit, describes the information that must be included in the annual compliance certification. The source is required to certify its compliance status with each requirement of the permit annually on or before **April 15**. The reporting period covers the period of January 1 through December 31 of the preceding calendar year. For the year in which the Title V permit is issued, the reporting period commences on the date that the permit is issued through December 31. The report must describe:

1. The terms and conditions of the permit that are the basis of the certification. The report must include the particular permit condition or item number that references each requirement, and a brief summary of the requirement;
2. The compliance status of the source with respect to each term and condition of the permit, and whether compliance was continuous, intermittent, or, if applicable, “not in compliance” during the reporting period;
3. The method(s) used for determining compliance, including a description of the monitoring, record keeping, or test methods, and the frequency, either continuous or intermittent, of the method used to determine compliance. The frequency of the method does not have to be continuous for compliance to be reported as continuous. An intermittent method, such as recordkeeping, fuel sampling, or a stack test, can

demonstrate continuous compliance if each reading or measurement during the monitoring period shows compliance. A method such as a continuous emissions monitoring system (CEM) or continuous opacity monitoring system (COM) is considered a continuous means of identifying the compliance status. Any monitoring method, whether intermittent or continuous, that show any period(s) of non-compliance, indicates intermittent compliance. Any required monitoring that was not done, whether due to missing an intermittent reading or to downtime of a continuous monitor, indicates intermittent compliance with the monitoring requirement. However, during those periods of missing data, unless some other data indicated an out of compliance status of the parameter being monitored, the compliance status could still be reported as continuous; and

4. Any additional information required in order to determine the compliance status of the source. The compliance status regarding a particular permit requirement must be based, at a minimum, on the testing and monitoring methods that are specified in the permit. If the owner or operator knows of any other material information, beyond the monitoring required by the permit, that demonstrates any periods of non-compliance with a requirement of the permit, that information must be identified and addressed in the compliance certification.

The annual compliance certification must also include a summary of any permit deviations (discussed in [Section III](#) of this guidance). The compliance status should be reported as intermittent (or not in compliance) if a deviation from any permit requirement occurs during the reporting period. A summary of the permit deviations must be included in the Semi-Annual Permit Deviation and Monitoring (“PD/M”) Report (discussed in [Section II](#) of this guidance). For ease of reporting, data that has already been submitted to DES in the semi-annual PD/M report can be referenced in the annual compliance certification instead of submitting duplicate data. Any deviations that occurred during the reporting period that were not either reported to DES, or included in the semi-annual PD/M report, should be reported in detail in the annual compliance certification report.

Some examples of how to list the permit condition, summarize the permit condition requirement and/or monitoring methods, as well as how to properly certify the compliance status with the permit condition are included below:

Example 1: A requirement for a fuel oil-burning device specified in Condition VIII.B, Table 3, Item 7 of a Title V permit could state the following: “The maximum usage of #6 fuel oil shall be limited to 2,500,000 gallons during any consecutive 12-month period. This fuel consumption may be adjusted such that the gallons of fuel consumed may be increased proportionately to the average sulfur content of fuel burned. The SO₂ emissions from the facility may not exceed 249 tons during any consecutive 12-month period.”

This can be summarized and reported in the compliance certification as:

Permit Condition #	Summary of Permit Condition	Compliance Status	Monitoring Frequency	Monitoring Method	Summary of Deviations from Requirements
Condition VIII.B, Table 3, Item 7	250,000 gal of #6 fuel per 12 mo period, and 249 tons SO ₂ per 12 mo period	Continuous	Continuous – fuel usage Intermittent - %S	Continuous fuel metering and % S on fuel delivery tickets	None

Condition VIII.D, Table 5, Item 16 of the same permit requires calibration of the fuel monitors and Item 17 requires continuous fuel usage monitoring:

Permit Condition #	Summary of Permit Condition	Compliance Status	Monitoring Frequency	Monitoring Method	Summary of Deviations from Requirements
Condition VIII.D, Table 5, Item 16	Fuel-flow metering/recording devices shall be calibrated	Continuous	As required by manufacturer	Plant Maintenance Plan and Logbook	None
Condition VIII.D, Table 5, Item 17	Fuel-flow shall be continuously monitored	Continuous	Continuous	Fuel flow monitor	None

Condition VIII.F, Table 7, Item 5 of the same permit requires that delivery tickets from fuel suppliers be kept to document percent fuel sulfur content and Item 6 requires fuel usage recordkeeping:

Permit Condition #	Summary of Permit Condition	Compliance Status	Monitoring Frequency	Monitoring Method	Summary of Deviations from Requirements
Condition VIII.F, Table 7, Item 5	Delivery tickets for each shipment of fuel oil received kept on file for inspection	Continuous	With each fuel delivery	Plant Fuel Records and Logbook	None
Condition VIII.F, Table 7, Item 6	Record daily fuel usage in a bound logbook	Continuous	Daily	Fuel flow monitor and Logbook	None

Example 2: Table 6 - Monitoring/Testing Requirements, Condition VIII.E, Table 6, Item 3(c)1 of a Title V permit requires testing of a thermal oxidizer, upon request by DES, to demonstrate at least 90% efficiency in reducing VOC emissions. Item 3(c)2 requires that the oxidizer continuously maintain a central chamber temperature of at least 1480 deg F to ensure the minimum 90 % removal efficiency while the unit is in operation. Item 3(c)3 of the same permit requires continuous monitoring and recording of the oxidizer temperature, and Item 3(c)4 requires low temperature alarm or periodic monitoring every 24 hours.

This can be summarized and reported in the compliance certification as:

Permit Condition #	Summary of Permit Condition	Compliance Status	Monitoring Frequency	Monitoring Method	Summary of Deviations from Requirements, if applicable
Condition VIII.E, Table 6, Item 3(c)1	Minimum 90% VOC reduction efficiency by DES stack test	Continuous – last tested in 1995. DRE was 98.5%.	When required by DES	Stack test	None
Condition VIII.E, Table 6, Item 3(c)2	Minimum 90% VOC reduction and central chamber temperature at least 1480 deg	Intermittent	Continuous	Temp. Monitor and stripchart w/ low temp alarm	On 10/08/00, temp at 1455 for 1 hour. See Dev. Report submitted 10/09/00.
Condition VIII.E, Table 6, Item 3(c)3	The operating temperature of the thermal oxidizer shall be monitored and recorded continuously.	Intermittent	Continuous	Alarm on stripchart recorder if it stops or malfn's	Paper jam prevented recording data on 3/16/00 and 7/27/00. See Dev. Reports submitted on 3/16/00 and 7/28/00.
Condition VIII.E, Table 6, Item 3(c)4	Low temperature alarm or the temperature chart shall be examined every 24 hours to ensure compliance with the temperature limit.	Continuous	Continuous	Temp. Monitor and stripchart w/ low temp alarm	None

Example 3: Condition III.A, Table 1 – Significant Activity Identification, lists the significant activities and devices regulated by the Title V Permit. Typically it contains a description of the device, exhaust stack identification, and the manufacturer's maximum rating or capacity for the device. Compliance with the information in this table can be stated as in the example below:

Permit Condition #	Summary of Permit Condition	Compliance Status	Monitoring Frequency	Monitoring Method	Summary of Deviations from Requirements, if applicable
Condition III.A, Table 1, EU1	Cleaver Brooks Boiler - 25.1 mmBtu/hr gross heat input at a maximum of 167.30 gallons/hour of #2 Fuel Oil with a maximum sulfur content of 0.4 percent by weight.	Continuous	Continuous	Operated within manufacturer's parameters; fuel usage and fuel records for %S maintained.	None
Condition III.A, Table 1, EU2	Paper Machine - 40 to 50 tons per day of paper.	Continuous	Continuous	Daily Production Records	None
Condition III.A, Table 1, EU3	Caterpillar Emergency Diesel Generator, Model #3408 - 603 hp operating less than 500 hours per year, max firing rate of 4.19 mmBTU/hr, 35.9 gal/hr of diesel.	Continuous	Continuous	Operated within manufacturer's parameters; fuel usage and hours of operation logs maintained	None
Condition III.A, Table 1, EU4	Propane-fired Gas Dryer - 4.0 mmBtu/hr gross heat input from propane with a maximum sulfur content of 5 grains of sulfur per 100 cubic feet.	Continuous	Continuous	Operated within manufacturer's parameters; fuel usage and fuel records for %S maintained	None

The examples above should be used as a reference in determining how to certify compliance with permit conditions. The source must certify its compliance status with **all** of the terms and conditions in the Title V permit, in the order in which the terms and conditions are listed in the permit.

The General Title V Operating Permit Conditions, typically numbered as Conditions X through XXVIII, do not have to be addressed individually in the annual compliance certification. Instead, the source can make the statement that the general permit conditions (the condition numbers may vary according to individual permits) are either not applicable or are addressed by other conditions contained within the permit.

The annual compliance certification must include a Certification of Accuracy statement, as discussed in [Section IV](#) of this guidance. The Responsible Official listed on the cover page of the Title V permit must sign the statement.

If there are any questions regarding the annual compliance certification, please call (603) 271-1370 and request the Compliance Bureau, Enforcement Section.

Section II. Semi-Annual Permit Deviation and Monitoring Report:

40 CFR 70.6(a)(3)(iii)(A) contains the requirements for semi-annual reporting. These requirements are usually incorporated into the Title V permit in either the table titled “Applicable Reporting Requirements,” or in the section titled “Compliance Demonstration Requirements.”

All owners of sources with Title V permits are required to submit Semi-Annual Permit Deviation and Monitoring (“PD/M”) reports to DES. The semi-annual PD/M report summarizes the results of the monitoring and work practices required by the permit in order to determine the source's compliance status with the terms and conditions of the permit. The reports must be submitted on or before **July 31** for the preceding period of January through June, and on or before **January 31** for the preceding period of July through December. For the semi-annual period in which the Title V permit is issued, the first reporting period commences on the date the permit is issued through the end of that semi-annual period.

The type and amount of data that is required by the monitoring provisions of the permit varies greatly from source to source depending on the devices covered by the permit. The monitoring information that is included in the semi-annual PD/M should contain summaries of the pertinent data that demonstrates the source’s compliance status and shows that the required data is being recorded and maintained. Some examples of common permit monitoring requirements and the data that should be submitted to DES in order to demonstrate compliance with those requirements are included below and on the following pages:

Example 1: A source has a Title V permit for 3 oil-fired boilers that are also subject to NOx RACT. The permit contains monitoring requirements that include: annual